

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 52

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO PUBLIC UTILITIES REGULATION; AMENDING SECTION 61-315, IDAHO CODE, TO PROVIDE THAT WITH THE APPROVAL OF THE PUBLIC UTILITIES COMMISSION, A PUBLIC UTILITY MAY ESTABLISH REASONABLE NONRECURRING CHARGES FOR NEW CUSTOMERS TO PARTIALLY RECOVER THE COSTS OF PUBLIC UTILITY CAPITAL INVESTMENT IN NEW FACILITIES TO SERVE NEW CUSTOMER GROWTH AND TO DEFINE THE TERM "NEW CUSTOMER."

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 61-315, Idaho Code, be, and the same is hereby amended to read as follows:

61-315. DISCRIMINATION AND PREFERENCE PROHIBITED – NEW CAPITAL INVESTMENT. (1) No public utility shall, as to rates, charges, service, facilities or in any other respect, make or grant any preference or advantage to any corporation or person or subject any corporation or person to any prejudice or disadvantage. No public utility shall establish or maintain any unreasonable difference as to rates, charges, service, facilities or in any other respect, either as between localities or as between classes of service.

(2) With the approval of the commission, a public utility may establish reasonable nonrecurring charges for new customers to partially recover the costs of public utility capital investment in new facilities to serve new customer growth. For purposes of this subsection, a "new customer" means a consumer taking service at a specific location not previously served. A change in customers at a location with existing service shall not be construed to be a new customer.

(3) The commission shall have the power to determine any question of fact arising under this section.